

STAND. COM. REP. NO.

1854

Honolulu, Hawaii

APR 06 2023

RE: H.B. No. 1104  
H.D. 1  
S.D. 1

Honorable Ronald D. Kouchi  
President of the Senate  
Thirty-Second State Legislature  
Regular Session of 2023  
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred H.B. No. 1104, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO MOTOR VEHICLES ENFORCEMENT,"

begs leave to report as follows:

The purpose and intent of this measure is to repeal the exemption relating to the issuance of citations for violations of section 291-35, Hawaii Revised Statutes, relating to vehicle gross weight, axle, and wheel loads.

Your Committee received testimony in support of this measure from the Department of Transportation.

Your Committee finds that the Department of Transportation receives funding from the Federal Highway Administration (FHWA) for infrastructure improvements and maintenance. To receive FHWA funds, the Department of Transportation must follow federal regulations for the size and weight for motor vehicles traveling on the interstate systems in the State. However, there are several inconsistencies, inclusions, and exclusions within the existing state rules, and they do not conform to federal regulations. This measure aligns state rules with federal regulations.



Your Committee has amended this measure by:

- (1) Making it effective upon its approval; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1104, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1104, H.D. 1, S.D. 1.

Respectfully submitted on  
behalf of the members of the  
Committee on Judiciary,



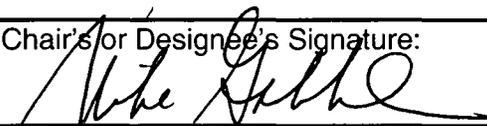
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KARL RHOADS, Chair



The Senate  
Thirty-Second Legislature  
State of Hawai'i

**Record of Votes**  
**Committee on Judiciary**  
**JDC**

Bill / Resolution No.:* <b>HB 1104 HD1</b>	Committee Referral: <b>TCA, JDC</b>	Date: <b>3/31/23</b>		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
RHOADS, Karl (C)	✓			
GABBARD, Mike (VC)	✓			
ELEFANTE, Brandon J.C.	✓			
SAN BUENAVENTURA, Joy A.				✓
AWA, Brenton	✓			
<b>TOTAL</b>	<b>4</b>	<b>—</b>	<b>—</b>	<b>1</b>
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
<b>Distribution:</b> Original                      Yellow                      Pink                      Goldenrod File with Committee Report    Clerk's Office            Drafting Agency        Committee File Copy				

\*Only one measure per Record of Votes